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Appln. No.:  
Amdt. dated:  
Preliminary Amendment

PATENT  
Attorney Docket: 2797

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Russell Heinrich

Serial No.: To Be Assigned

Art Unit: Unknown

Filed: Concurrently Herewith

Examiner: Unknown

For: **SURGICAL STAPLER AND METHOD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Sir:

Prior to examination on the merits, please amend the above-identified application  
as follows:

Amendments to the Specification are reflected beginning on page 2 of this paper.

The Remarks begin on page 3 of this paper.

**CERTIFICATION UNDER 37 C.F.R. §1.10**

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number ET710029277 US addressed to: Mail Stop Patent Application Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 10/4/04

Vanessa M. Rosado  
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